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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Writ Petition No.3785 of 2006
Date of Decision : Oct. 23 , 2006

The Fatehabad Ganpati Balajit Cooperative Transport Society Ltd., Fatehabad

... Petitioner

Versus

State Transport Controller, Haryana etc.

.. Respondents

CORAM : Hon`ble Mr. Justice Jasbir Singh,
Hon`ble Mr. Justice Pritam Pal.

Present : Shri H.S.Sawhney, Senior Advocate,
with Shri B.S.Giri, Advocate,
for the petitioner.

Shri S.S.Patter, Sr. DAG, Haryana,
for the respondent-State.

JASBIR SINGH, J. (Oral)

During arguments, it transpired that order, Annexure P/5, which is under challenge in this writ petition, is an appealable order.

When confronted with this situation, counsel for the petitioner states that let this writ petition be *dismissed* as withdrawn, with liberty to the petitioner to file an appeal, against the order, Annxure P/5.

In view of prayer made, this writ petition is ordered to be dismissed as withdrawn.

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Liberty is granted to the petitioner to file an appeal against order, Annexure P/5, dated 19.12.2005. It is further ordered that if any such appeal is filed within four weeks from today, the respondent-State shall not raise any objection regarding limitation, as the petitioner was pursuing this writ petition bonafidely in this Court.

[JASBIR SINGH]
JUDGE

[PRITAM PAL]
JUDGE

October 23, 2006
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